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*R.T.*

APPLICATION NO.	FILING DATE	MICHAUD FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
			1798-7267

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EXAMINER
CROSS, L

ART UNIT	PAPER NUMBER
1721	10

DATE MAILED: 01/04/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**09/034,415**

Applicant(s)  
**Michaud**

Examiner  
**LaToya Cross**

Group Art Unit  
**1721**



☒ Responsive to communication(s) filed on Oct 7, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-15 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### **DETAILED ACTION**

This Office Action is in response to Applicant's amendment filed on October 7, 1999 and entered as Paper No. 9. Claims 1-15 are pending in the instant application.

#### ***Status of Rejections from Previous Office Action***

The rejection of claims 4, 6, 7, 11, and 13 under 35 U.S.C. 112, second paragraph is withdrawn in view of Applicants' amendment to the claims to further clarify the claimed invention.

The rejection of claims 1, 2, 4-6, 9, and 12-14 under 35 U.S.C. 103 in view of Omure '645 is withdrawn because Omure '645 does not disclose Applicants' claimed perfluorinated alcohols.

The rejection of claims 7, 8, 10, and 5 under 35 U.S.C. 103 in view of Omure '645 and Bil et al '301 is withdrawn since the previous rejection has been withdrawn.

The rejection of claims 1-6, 12 and 13 under 35 U.S.C. 103 in view of Asahi '303 in view of Zisman et al '672 is withdrawn because Asahi '303 fails to disclose the perfluorinated alcohols claimed by Applicants.

#### ***Claim Rejections - 35 U.S.C. § 103***

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,957,672 to Zisman et al (hereinafter referred to as Zisman et al '672) in view of U.S. Patent 5,514,301 to Bil et al (hereinafter referred to as Bil et al '301).

Applicants' claimed invention is directed to a dewetting composition comprising at least one surface active agent in a mixture of at least one fluorinated solvent and at least one polyfluorinated alcohol having a specified formula. Applicants' claimed composition does not exhibit a flash point under standard determination conditions.

Zisman et al '672 disclose non-aqueous surface active compositions for use in displacing aqueous or organic liquid films from solid surfaces. The compositions of Zisman '672 comprise a fluorinated solvent, such as fluorinated alkanes, and fluorinated alcohols. The fluorinated alcohols of Zisman et al '672 are similar to those instantly claimed by Applicants in that they have the formula  $F(CF_3)_m(CH_2)_nCH_2OH$ , wherein m is 1-10, and n is 1-15 (col. 3, lines 10-34). This formula encompasses Applicants' preferred fluorinated alcohol of claim 5, tridecafluorooctanol. Zisman '672 teaches the use of up to 1% by weight of fluorinated alcohol (col. 7, lines 30-33). The solvents of Zisman et al '672 include fluorinated alkanes such as volatile liquid perfluoroalkanes (col. 7, lines 25-29).

Zisman et al '672 differ from the instantly claimed invention in that there is no disclosure of the use of surface active agents such as those of instant claims 7 and 8, and Zisman et al '672

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does not disclose that the compositions do not exhibit a flash point under standard determination conditions.

Bil et al '301 teaches compositions for dewetting solid surfaces. The compositions of Bil et al '301 comprise halogenated solvents such as fluorinated alkanes and surface active agents. The fluorinated alkanes of the reference are disclosed as being those such as (perfluoroalkyl)ethylenes and 1,1,1,2,3,4,4,5,5,5-decafluoropentane. See col. 2, lines 62-67. These solvents are the same as claimed by Applicants (instant claim 6), thus one would expect that they would have boiling points similar to those instantly claimed by Applicants. The surface active agents disclosed by Bil et al '301 are prepared by the reaction of alkylphosphoric acids, fluorinated amine and quaternary ammonium chloride in solution with a halogenated solvent, such as recited in instant claims 7 and 8. See col. 1, lines 49-67. Bil et al '301 teach the use of the surface active agent in amounts varying from 0.01 to 1% by weight. Bil et al '301 also disclose that the surface active agent may be present in amounts up to 30% by weight. See col. 2, lines 33-39.

It would have been obvious to one of ordinary skill in the art to combine two compositions known for dewetting solid surfaces to produce a third composition capable of performing the same function. See MPEP 2144.06. One would expect that the resulting combination would have at least an additive effect in dewetting solid surfaces. With respect to the flash point of the composition, since the components disclosed in the references are those instantly claimed by Applicants, one would expect that just as Applicants' composition does not exhibit a

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flash point, the combination of dewetting components disclosed by the references would not exhibit a flash point either, absent evidence to the contrary.

Therefore, for the reasons set forth above, Applicants' claimed invention is deemed to be obvious, within the meaning of 35 U.S.C. 103 in view of the teachings of Zisman '672 and Bil et al '301.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaToya I. Cross whose telephone number is (703) 305-7360. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gabrielle Brouillette, can be reached at (703) 308-0756. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

LIC *SLC*  
January 3, 2000

*G. Brouillette*  
**GABRIELLE BROUILLETTE**  
**SUPERVISORY PATENT EXAMINER**  
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